



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON, D.C. 20370-5100

TRG

Docket No: 2747-00

24 October 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 17 October 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you reenlisted in the Navy for four years on 30 December 1992 and subsequently extended that enlistment for 22 months. The record shows that, on 5 September 1996, you were convicted by civilian authorities of driving under the influence of alcohol. On 7 May 1997 you received nonjudicial punishment for driving on base with suspended privileges and wrongful possession of a temporary pass. In the performance evaluation for the period 16 March 1996 to 15 March 1998 you were not recommended for advancement or retention in the Navy. The evaluation comments stated, in part, as follows:

Counseled numerous times for failure to provide monetary support to his dependents. Received five letters of indebtedness for personal financial obligations during this marking period.

In the next evaluation for the period ending 29 October 1998 you were recommended for advancement or retention in the Navy. On 29 October 1999 you were honorably discharged at the expiration of your enlistment. At that time, you were not recommended for reenlistment and were assigned an RE-4 reenlistment code.

The Board concluded that your overall record was sufficient to support the assignment of the RE-4 reenlistment code despite the recommendation for reenlistment made in the last evaluation. The Board noted that the last evaluation was only for a seven month period and believed that it was impossible for you to completely overcome the deficiencies in conduct mentioned in the immediately preceding evaluation. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director